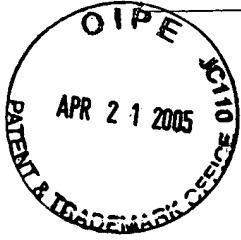


# Knobbe Martens Olson & Bear LLP

Intellectual Property Law



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Andrew M. Douglas

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

## CERTIFICATE OF MAILING BY "EXPRESS MAIL"

Attorney Docket No. : PERCUS.071C1  
Applicant(s) : Zadno-Azizi  
For : EXCHANGE METHOD FOR EMBOLI  
CONTAINMENT  
Attorney : Andrew M. Douglas  
"Express Mail" Label No. : EV 309177326 US  
Date of Deposit : April 21, 2005

I hereby certify that the accompanying

Transmittal letter; Form PTOL-85, Amendment Pursuant to 37 CFR 1.312,  
Recordation Form Cover Sheet and Copy of Change of Name; Return Prepaid  
Postcard

are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and are addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

A handwritten signature in cursive script, appearing to read "Nelson Merida", written over a horizontal line.

Nelson Merida

1678022:rdc  
042105

San Diego  
619-235-8550

San Francisco  
415-954-4114

Los Angeles  
310-551-3450

Riverside  
951-781-9231

San Luis Obispo  
805-547-5580



**PATENT**

Case Docket No. PA1124 US C01 (PERCUS.071C1)

Date: April 21, 2005

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s) : Gholam-Reza Zadno-Azizi  
Appl. No. : 09/768,031  
Filed : January 23, 2001  
For : EXCHANGE METHOD FOR  
EMBOLI CONTAINMENT  
Group Art Unit : 3731  
Class/Sub-Class : 606-200000  
Examiner : Glenn K. Dawson

**TRANSMITTAL LETTER**

**MAIL STOP ISSUE FEE**

**Commissioner for Patents**

**P.O. Box 1450**

**Alexandria, VA 22313-1450**

Dear Sir:

Enclosed for filing is the Issue Fee for the above-identified application:


- (X) Form PTOL-85.
- (X) An Amendment Pursuant to 37 CFR 1.312.
- (X) Copy of Change of Name from Medtronic AVE, Inc. to Medtronic Vascular, Inc. in 5 pages.
- (X) The Commissioner is hereby authorized to charge the issue fee and publication fee totaling \$1,700 to Account No. 01-2525.
- (X) The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Account No. 01-2525.
- (X) A Certificate of Mailing by Express Mail.
- (X) Return prepaid postcard.

Andrew M. Douglas  
Registration No. 51,212  
Attorney of Record  
Customer No. 28,390  
(949) 760-0404

**COPY**

*do not record*

To the Director, U.S. Patent and Trademark Office: Please record the attached original documents or copy thereof.

<p>1. Name of conveying party(ies): (List using letters or numbers for multiple parties)</p> <p>Medtronic AVE, Inc.</p> <p>Additional name(s) of conveying party(ies) attached?</p> <p>( ) Yes (X) No</p>	<p>2. Name and address of receiving party(ies):</p> <p><b>Name:</b> Medtronic Vascular, Inc.</p> <p><b>Internal Address:</b></p> <p><b>Street Address:</b> 3576 Unocal Place</p> <p><b>City:</b> Santa Rosa <b>State:</b> CA</p> <p><b>ZIP:</b> 95403</p> <p>Additional name(s) of receiving party(ies) attached?</p> <p>( ) Yes (X) No</p>
<p>3. Nature of conveyance:</p> <p>( ) Assignment ( ) Security Agreement</p> <p>( ) Merger (X) Change of Name</p> <p>( ) Other:</p> <p>Execution Date: (List as in section 1 if multiple signatures)</p> <p>September 8, 2003</p>	<p>4. US or PCT Application number(s) or US Patent number(s):</p> <p>(X) Patent Application No.: 09/768,031</p> <p>Filing Date: January 23, 2001</p> <p>Additional numbers attached?</p> <p>( ) Yes (X) No</p>
<p>5. Party to whom correspondence concerning document should be mailed:</p> <p><b>Customer No.</b> 28,390</p> <p><b>Address:</b> IP Legal Dept. Medtronic Vascular, Inc. 3576 Unocal Place Santa Rosa, CA 95403</p> <p><b>Return Fax:</b> 707/543-5420</p> <p><b>Attorney's Docket No.:</b> PA1124 CON1 (PERCUS.071C1)</p>	<p>6. Total number of applications and patents involved: 1</p>
<p>7. Total fee (37 CFR 1.21(h)): \$40</p> <p>(X) Authorized to be charged to deposit account</p>	<p>8. Deposit account number: 01-2525</p> <p>Please charge this account for any additional fees which may be required, or credit any overpayment to this account.</p>
<p>9. Statement and signature.</p> <p>To the best of my knowledge and belief, the foregoing information is true and correct, and any attached copy is a true copy of the original document.</p> <p><u>Andrew M. Douglas</u> Name of Person Signing</p> <p><u></u> Signature</p> <p><u>April 21, 2005</u> Date</p> <p><u>51,212</u> Registration No.</p> <p>Total number of pages including cover sheet, attachments and document: 5</p>	

Documents transmitted via Facsimile to be recorded with required cover sheet information to:

**Mail Stop Assignment Recordation Services**  
Director, U.S. Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450  
**Facsimile Number: (703) 306-5995**

# Delaware

PAGE 1

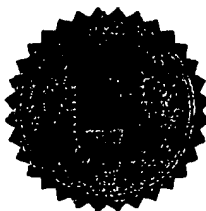
*The First State*

I, HARRIET SMITH WINDSOR, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE RESTATED CERTIFICATE OF "MEDTRONIC AVE, INC.", CHANGING ITS NAME FROM "MEDTRONIC AVE, INC." TO "MEDTRONIC VASCULAR, INC.", FILED IN THIS OFFICE ON THE NINTH DAY OF SEPTEMBER, A.D. 2003, AT 1:20 O'CLOCK P.M.

A FILED COPY OF THIS CERTIFICATE HAS BEEN FORWARDED TO THE NEW CASTLE COUNTY RECORDER OF DEEDS.

2269660 8100

030580192

*Harriet Smith Windsor*

Harriet Smith Windsor, Secretary of State

AUTHENTICATION: 2622839

DATE: 09-09-03

SEP-09-2003 11:48

State of Delaware  
Secretary of State  
Division of Corporations  
Delivered 01:19 PM 09/09/2003  
FILED 01:20 PM 09/09/2003  
SRV 030580192 - 2269660 FILE

**AMENDED AND RESTATED CERTIFICATE OF INCORPORATION  
OF  
MEDTRONIC AVE, INC.**

Medtronic AVE, Inc., a corporation organized and existing under the General Corporation Law of the State of Delaware, hereby certifies as follows:

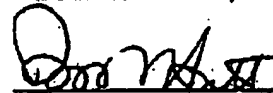
1. The name of the corporation is "Medtronic AVE, Inc." Its original Certificate of Incorporation was filed with the Secretary of State on July 30, 1991 under the name "Applied Vascular Engineering, Inc." Through subsequent filings with the Secretary of State, the name was changed to "Arterial Vascular Engineering, Inc." on January 30, 1996 and to "Medtronic AVE, Inc." on January 28, 1999, as the result of a merger on that date with MAV Merger Corp., which was incorporated in the State of Delaware on November 24, 1998.

2. The Amended and Restated Certificate of Incorporation of the corporation, in the form attached hereto as Exhibit A, has been duly adopted by the corporation's Board of Directors and sole stockholder in accordance with the provisions of Sections 141, 228, 242 and 245 of the General Corporation Law of the State of Delaware pursuant to unanimous written consent with waiver of meeting notice.

3. The Amended and Restated Certificate of Incorporation so approved reads in full as set forth in Exhibit A hereto and is hereby incorporated by reference herein.

IN WITNESS WHEREOF, Medtronic AVE, Inc. has caused this Certificate to be signed by David J. Scott, its Vice President and Secretary, this 8th day of September 2003.

MEDTRONIC AVE, INC.



David J. Scott, Vice President and Secretary

ATTEST:



Carol E. Malkinson, Assistant Secretary

Exhibit A

**AMENDED AND RESTATED CERTIFICATE OF INCORPORATION  
OF  
MEDTRONIC VASCULAR, INC.**

**ARTICLE 1 - NAME**

The name of the corporation shall be Medtronic Vascular, Inc.

**ARTICLE 2 - REGISTERED OFFICE AND AGENT**

The registered office of the corporation in the State of Delaware is 1209 Orange Street, in the City of Wilmington, County of New Castle, Delaware, 19801. The name of its registered agent at such address is The Corporation Trust Company.

**ARTICLE 3 - PURPOSES**

The nature of the business or purposes to be conducted or promoted by the corporation is to engage in any lawful acts and activities for which corporations may be organized under the General Corporation Law of Delaware.

**ARTICLE 4 - STOCK**

The aggregate number of shares the corporation has authority to issue shall be 2,500 shares of Common Stock, \$.01 par value. Holders of Common Stock shall be entitled to one vote for each share of Common Stock held of record.

**ARTICLE 5 - RIGHTS OF STOCKHOLDERS**

5.1) No Preemptive Rights. No holder of shares of the corporation of any class now or hereafter authorized has any preferential or preemptive right to subscribe for, purchase or receive any shares of the corporation of any class now or hereafter authorized, or any options or warrants for such shares, which may at any time be issued, sold or offered for sale by the corporation.

5.2) No Cumulative Voting Rights. No holder of shares of the corporation of any class now or hereafter authorized shall be entitled to cumulative voting.

#### ARTICLE 6 - MEETINGS AND BOOKS

6.1) Meetings of Stockholders and Election of Directors. Meetings of stockholders may be held within or outside the State of Delaware, as the Bylaws may provide. Elections of directors need not be by written ballot unless and except to the extent that the Bylaws so provide.

6.2) Corporate Books. The books of the corporation may be kept within or (subject to any provision contained in the statutes) outside the State of Delaware at such place or places as may be designated from time to time by the Board of Directors or in the Bylaws of the corporation.

#### ARTICLE 7 - LIMITATION OF DIRECTOR LIABILITY

To the fullest extent permitted by the Delaware General Corporation Law, as the same exists or may hereafter be amended, a director of the corporation shall not be liable to the corporation or its stockholders for monetary damages for breach of fiduciary duty as a director. If the Delaware General Corporation Law is amended after the date of the filing of this Amended and Restated Certificate of Incorporation to authorize corporate action further eliminating or limiting the personal liability of directors, then the liability of a director of the corporation shall be eliminated or limited to the fullest extent permitted by the Delaware General Corporation Law, as so amended from time to time. No repeal or modification of this Article 7 by the stockholders shall adversely affect any right or protection of a director of the corporation existing by virtue of this Article 7 at the time of such repeal or modification.

#### ARTICLE 8 - BYLAWS

The Board of Directors is expressly authorized to make and alter Bylaws of this corporation, subject to the power of the stockholders to change or repeal such Bylaws and subject to any other limitations on such authority provided by the General Corporation Law of Delaware.